

**ALASKA STATE LEGISLATURE
HOUSE JUDICIARY STANDING COMMITTEE**

Anchorage, Alaska

December 19, 2024

1:02 p.m.

MEMBERS PRESENT

Representative Sarah Vance, Chair
Representative Ben Carpenter
Representative Andrew Gray
Representative Cliff Groh (via teleconference)

MEMBERS ABSENT

Representative Jamie Allard, Vice Chair
Representative Craig Johnson
Representative Jesse Sumner

COMMITTEE CALENDAR

PRESENTATION(S): 2024 ALASKA PRIMARY AND GENERAL ELECTIONS

- HEARD

PREVIOUS COMMITTEE ACTION

No previous action to record

WITNESS REGISTER

CAROL BEECHER, Director
Divisions of Elections
Office of the Lieutenant Governor
Juneau, Alaska

POSITION STATEMENT: Presented a PowerPoint during the 2024 Alaska Primary and General Elections presentation.

TOM FLYNN, Assistant Attorney General
Labor and State Affairs Section
Civil Division (Anchorage)
Department of Law
Anchorage, Alaska

POSITION STATEMENT: Answered questions during the 2024 Alaska Primary and General Elections presentation.

ACTION NARRATIVE

[1:02:57 PM](#)

CHAIR VANCE called the House Judiciary Standing Committee meeting to order at [1:02] p.m. Representatives Gray, Carpenter, Groh (via teleconference), and Vance were present at the call to order.

PRESENTATION(S): 2024 Alaska Primary and General Elections

[1:03:40 PM](#)

CHAIR VANCE announced that the only order of business would be the 2024 Alaska Primary and General Elections presentation.

[1:05:22 PM](#)

CAROL BEECHER, Director, Divisions of Elections (DOE), Office of the Lieutenant Governor, directed attention to a PowerPoint presentation, entitled "Division of Elections," dated 12/19/24 [hardcopy included in the committee packet]. She began by sharing general information about the division's 35 permanent staff members who are required to remain neutral and sign an oath of impartiality, voter registration per AS 15.05.101, and citizenship as it relates to voter registration. Voters must certify that they are a citizen by affirming it on the [voter registration form], the Division of Motor Vehicles (DMV) registration form, or the permanent fund dividend (PFD) automatic voter registration (AVR). The department is not responsible for further investigating an applicant's citizenship. In response to a series of questions from Representative Gray, she explained that a person who moved to a new district within 30 days before Election Day could vote the full ballot from their prior district or vote a question ballot from their new district.

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MS. BEECHER resumed the presentation on slide 5 and addressed PFD AVR. New applicants and those with an address change are sent a notice letting them know they will be automatically registered unless they opt out within 30 days. Filing for a PFD is defined as "appearing to vote" for purposes of remaining active in the voter registration system per AS 15.07.135. In response to a series of questions from Representative Carpenter, she indicated that third parties do not audit the division's processes and that all analyses are done internally by the

division. She noted that the official election pamphlet (OEP) is checked by DOE staff as well.

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The committee took a brief at-ease at 1:17 p.m.

[1:17:45 PM](#)

MS. BEECHER acknowledged the error on the official election pamphlet (OEP) and said the division is looking into ways to stop that from happening again. She encouraged noncitizens who receive voter cards from the PFD AVR to notify the division so it can work with the Permanent Fund Dividend Division (PFDD) to fix its coding. However, based on information received by the division, noncitizens are not being sent voter cards. In response to questions from Chair Vance, she confirmed that the division is not statutorily required to perform additional verification of citizenship.

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TOM FLYNN, Assistant Attorney General, Labor and State Affairs Section, Civil Division (Anchorage), Department of Law (DOL), in response to a series of questions from Chair Vance, confirmed that DOE is not required to perform additional citizenship verification and warned against the limits of the National Voter Registration Act.

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MS. BEECHER, in response to a series of questions from members, said ballots were rejected if the voter indicated on the ballot that they were not a citizen; DOE is precluded from requesting additional documentation for proof of citizenship; voter cards are sent by mail, as required by statute.

[1:25:51 PM](#)

MS. BEECHER continued the presentation on slide 6 and explained that for the purpose of determining residency for voting, the address of a voter as it appears on the official voter registration record is presumptive evidence of the person's voting residence. This presumption is negated only if the voter notifies the director in writing of a change of residence. She addressed the ballots with the incorrect judicial district in Judicial Region 4, explaining that there was an internal error

on the ballot order form. She said the impacted individuals were notified immediately and given the opportunity to vote a new ballot. In response to a question from Representative Gray regarding an early voting mishap in Kotzebue, Utqiagvik, and Bethel during the 2024 primary election, she clarified that the issue was in relation to absentee in-person voting (AVO) and came down to a misunderstanding about which ballots to use. In response to a series of questions from Chair Vance, she said each year, the division hosts a debriefing of the election season to discuss issues that occurred and how to solve them. The division meets regularly with United State Postal Service (USPS) employees to ensure that materials and ballots arrive on time. With regard to the election bag that was found on the road, the division has no control over materials once they are in the custody of USPS. In response to a series of questions from Representative Carpenter, she confirmed that policies and procedures guide daily workflow and are revised and updated every odd year.

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MS. BEECHER, in response to a series of questions from Representative Gray and Chair Vance, said there is no cure process, so if someone makes an error on their absentee ballot, they are notified after the election. In the case of the ballots with the wrong judicial district, the mistake was considered an "agency error," so affected voters were able to re-vote with a correct ballot. The division is indifferent on whether a cure process should be implemented, as this would be a policy call for the legislature. Many ballots were rejected because voters forgot to include a witness signature. In person voters can fix a spoiled ballot by ripping up the spoiled ballot in front of election officials and revoting a fresh ballot. Spoiled ballots are retained for 22 months and used by the State Review Board when accounting for ballots. Not all communities choose to be an AVO location. To avoid double voting, early in-person votes are held until after election workers input the information from the registers. Ballots can be received by e-mail or fax, but they must be returned by mail. Absentee ballots postmarked on Election Day are acceptable up to 15 days after and the information on the envelope is reviewed for accuracy and proper coding by division staff and Absentee Review Board members before opening. Observers are in attendance and given the opportunity to challenge a ballot. The same process is used for question ballots.

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MS. BEECHER continued presentation on slide 9 and described the process for transmitting election results. Scanner results are transmitted to the Juneau DOE office with a secured, encrypted package and an air-gapped server. Hand count results are tallied and called in to the regional office by the precincts. Tallies are then scanned and filed to the Juneau DOE office on election night. Voted ballots and registers are mailed to the Juneau office. Two precincts attempted to call in and were unable to get through. Instead, they decided to mail the information, which caused a delay. In response to a series of questions by Chair Vance, she said hand counts are literally done by hand. The division is considering ideas, such as using Starlink, to expand scanner capabilities and quicken the process. She discussed the training of poll workers, specifically those conducting hand counts, on ranked choice voting (RCV). She confirmed that on Election Day, no workers were able or willing to open the polls in Wales and Kaktovik.

[2:23:22 PM](#)

MS. BEECHER continued the presentation on slide 10 and detailed the chain of custody and audits. Hand counts are conducted for one randomly selected house district with 5 percent or more of the vote to ensure accuracy of scanned results. If there is a discrepancy of more than 1 percent, the entire district is recounted by hand. Absentee/Question Review Boards are another form of auditing for absentee and question ballots. Finally, the State Review Board reviews all ballot tallies from every precinct to ensure their accuracy. Once the State Review Board is satisfied, the results are certified. She outlined vote counting and transparency, per the processes outlined in AS 15.20.081.

[2:33:50 PM](#)

MS. BEECHER, in response to a series of questions from members, said she would have done the following three things differently to avoid the mistakes that occurred in the 2024 election: more thoroughly edit the OEP; ensure that advertising didn't use names; and better anticipate the level of communication that's needed. She assured the committee that the division saw no evidence of fraud, adding that two attorneys observed the entire recount. The division installed a monitoring system to look for trends on a large scale. She encouraged voters to take personal responsibility for safeguarding their information and checking their My Voter Portal, which is available on

www.elections.alaska.gov. The division implemented BallotTrax for the congressional special election in 2022; however, it is no longer being used due to its ineffectiveness. She detailed the 2020 data breach and said DOE responded by increasing state security and firewalls, implementing quarterly security training, engaging with the Cyber Security and Infrastructure Security Agency (CISA), and certifying equipment by the Elections Assistance Commission (EAC). In response to questions from Representative Gray, she reiterated that there was no evidence in the 2024 election that bad actors voted Alaskans' absentee ballots without their knowledge. Permanent absentee voting sites (PAVS) is a designation given to communities within a precinct that lack the ability to geographically access the main precinct polling locations.

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MS. BEECHER, in response to a series of questions from Representative Carpenter regarding voter fraud, she said the division knows when an absentee ballot is requested. Ballots are rejected if the name on the ballot does not match the name of the person who requested it. The voter rolls show deceased individuals and those who have committed a crime of moral turpitude among the list of inactive voters. These individuals cannot change their status to "active" without reapplying, in which case the system would flag them.

[3:04:59 PM](#)

MS. BEECHER concluded the presentation on slide 16, which listed the following lessons learned and ideas for draft legislation:

Lessons:

- Communications
- Mailing Challenges
- Early Voting
- Rural - R4

Legislation (draft):

- Regional educational attendance area elections
- PFD applications
- Election administration
- Ballot counting
- Official Election Pamphlets (OEP)
- Voter residence
- Voter registration
- Voting by mail

- Absentee voting
- Confidential information in voter registration records
- Postage paid return Absentee Envelopes

[3:08:27 PM](#)

CHAIR VANCE recommended more checks and balances and training for election workers. She said the public is counting on more open dialogue and thanked Ms. Beecher for acknowledging that and handling the tough questions.

[3:10:16 PM](#)

ADJOURNMENT

There being no further business before the committee, the House Judiciary Standing Committee meeting was adjourned at [3:10] p.m.